

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 22, 2002

D036754 Harris v. Beresh

The order awarding \$1500 in attorney fees to Beresh is reversed. Harris shall recover her costs on appeal. Nares, J.; We Concur: Kremer, P.J., Benke, J.

D038309 People v. Tolliver

The petition for rehearing is denied.

D035486 McMeans et al. v. Scripps Health

The petition for rehearing is granted. The order of December 12, 2001, submitting the above case is vacated. The matter will be resubmitted after further oral argument, set for Wednesday, May 15, 2002 at 9:00 a.m.

D039597 Woodruff v. Metabolife International, Inc.

The appeal is dismissed as the order granting the motion to compel arbitration is not appealable.

D039659 Espinoza v. Metabolife International, Inc.

The appeal is dismissed as the order granting the motion to compel arbitration is not appealable. Dismissal is without prejudice to filing a petition for writ of mandate should appellant elect to do so.

D037684 Jaoudi et al., v. Barakat

The petition for rehearing is denied.

D039309 In re Burgner, Jr. on Habeas Corpus

The petition is denied.

D037045 Brower v. Eucalyptus Village Apartments et al.,

Affirmed. Haller, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D037858 People v. Burgener

The judgment (order denying petition for writ of error coram nobis) is affirmed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

D037127 People v. Alkhafaji

The judgment is affirmed. McDonald, Acting P.J.; We Concur: O'Rourke, J., McConnell, J.

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April 23, 2002

D036326 Carver et al. v. Chevron U.S.A., Inc. et al.

The opinion filed March 27, 2002 is modified. There is no change in judgment. The petition for rehearing is denied.

D037879 People v. Quintero

Judgment affirmed. O'Rourke, J.; We Concur: Kremer, P.J., Huffman, J.

D037524 In re marriage of Jahnke

Judgment affirmed. Haller, Acting P.J.; We Concur: McDonald, J., McConnell, J.

D038354 In re Matthew H., a Juvenile

The order is affirmed. Benke, Acting P.J.; We Concur: Nares, J., O'Rourke, J.

D039690 In re Aceves on Habeas Corpus

The petition is denied.

D039679 In re Jones on Habeas Corpus

The petition is denied.

D033894 Syntron Bioresearch, Inc., v. Fan

The judgment is reversed in part as to the \$508,468.49 compensatory damages award for prejudgment interest and the \$5,217,601 punitive damages award. On remand, the trial court is directed to recalculate the prejudgment interest award based solely on the compensatory damages award for Syntron's lost profits and to reduce the exemplary damages award to \$2,331,812. In all other respects, the judgment is affirmed. The parties shall bear their own costs. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

D039802 In re Hernandez on Habeas Corpus

The petition is denied.

D039693 Crosspoint Venture Partners 1997 et al. v. Superior Court of San Diego County/Maxim Pharmaceuticals, Inc.

The petition is denied. The request for judicial notice filed by petitioners on March 20, 2002 is denied.

D039748 In re Cosie on Habeas Corpus

The petition is denied without prejudice to refiling in the proper court.

D039738 In re Curtis on Habeas Corpus

The petition is denied without prejudice to refiling in the Third District Court of Appeal, Library and Courts Annex, 900 N Street, Room 400, Sacramento, CA 95814.

D039542 In re Logan B., a Juvenile

The appeal is dismissed. Huffman, Acting P.J.; We Concur: Haller, J., McDonald, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 23, 2002 (continued)

D039944 Copley Press, Inc., et al. v. Superior Court of San Diego County/Rossum et al.

Let a writ issue directing the superior court to vacate its April 11 and April 16, 2002 orders and enter an order unsealing the pleadings filed in connection with the motion calendared for hearing on April 25. The clerk of this court is ordered to return the sealed documents transmitted to us by superior court. This opinion is made final immediately as to this court. (Cal. Rules of Court, rule 24(d).) McDonald, J.; We Concur: Huffman, Acting P.J., McConnell, J.

D036925 Collins v. Feldman et al.

The petition for rehearing is denied.

D039576 Nolton D. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Nolton D. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 24, 2002

D037494 Larson v. Progeny Systems LLC

Upon written stipulation filed by the parties to the appeal, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 19(b)). Each party to bear own costs on appeal.

D038969 In re Vargas on Habeas Corpus

The petition for rehearing is denied.

D037615 Laguardia v. Tamura

The order is reversed. The superior court is directed to enter an order granting appellant's move-away motion. The court is also directed to set reasonable visitation procedures and schedules for respondent. The parties shall bear their own costs on appeal. Kremer, P.J.; We Concur: Huffman, J., Nares, J.

D038970 McGaw et al. v. County of Imperial et al.

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rule 17(a). The appeal is dismissed.

D039641 Antonio V. v. Superior Court of the County of San Diego/San Diego County Health and Human Services Agency

By failing to file a timely petition for writ relief, the notice of intent is deemed to be abandoned. The case is dismissed.

D036797 Beckner v. City of San Marcos

The request for publication of the opinion is denied.

D037938 Hallak et al. v. Guerrero et al./Vattuone

The judgment is reversed to the extent it grants summary judgment in favor of Fernando Guerrero and Cynthia Wathen-Guerrero. In all other respects, the judgment and order are affirmed. All parties to bear their own costs on appeal. Kremer, P.J.; We Concur: Benke, J., Haller, J.

D036645 People v. Baker

D038040 In re Baker on Habeas Corpus

(Consolidated) The judgment is affirmed; the petition for habeas corpus is denied. Benke, Acting P.J.; Huffman, J., O'Rourke, J.

D039787 Turner v. Superior Court of San Diego County/People

The petition is denied. Petitioner has an adequate remedy by way of expedited appeal.

D037344 Sullivan v. Tucker et al.

Sullivan's motions to dismiss the cross-appeal and to recall the remittitur are denied. The trial court's order denying Tucker's and Klein's motion to strike is reversed and remanded for further proceedings consistent with the views we have expressed. In all other respects the trial court's judgment is affirmed. Appellants Tucker and Klein to recover their costs of appeal. Benke, J.; We Concur: Kremer, P.J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 25, 2002

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

April 26, 2002

D038875 People v. Stewart

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately (Cal. Rules of Court, rule 38).